

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

265951

DATE OF REPORT (DAY-MO.-YEAR)

27 October 2000

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

| | | | | | | |
|--|--|---|--------------------------|---|-----------------------------|----------------------------|
| FROM-INVESTIGATOR'S NAME Saadia R. GRIFFIN | | RANK SGT | STAR NO. 2503 | SOCIAL SEC. NO. [REDACTED] | EMPLOYEE NO. [REDACTED] | UNIT ASSIGN. 007 |
| ADDRESS OF INCIDENT 57 S. Bishop | | DATE OF INCIDENT - TIME 24 September 2000 1830 hrs. | | BEAT OF INCIDENT 713 | LOCATION CODE* 19 | |
| NAME 1. CUNNINGHAM, Aaron B. | | RANK P.O. | STAR NO. 15522 | SOCIAL SEC. NO. [REDACTED] | EMPLOYEE NO. [REDACTED] | UNIT ASSIGN. 007 |
| NAME 2. GARZA, Robert (NMI) | | RANK P.O. | STAR NO. 7871 | SOCIAL SEC. NO. [REDACTED] | EMPLOYEE NO. [REDACTED] | UNIT ASSIGN. 007 |
| ACCUSED | SEX/RACE D.O.B. | DATE OF APPOINTMENT | | DUTY STATUS (TIME OF INCIDENT) | | PHYS. COND. CODE† |
| | 1. M 2 [REDACTED] 67 | 29 JUN 98 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | 01 |
| | 2. M 4 [REDACTED] 70 | 29 NOV 99 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | 01 |
| | IF APPLICABLE - DATE ARRESTED/INDICTED | | CHARGES | | COURT BRANCH | DISPOSITION & DATE |
| COMPLAINANTS | NAME | ADDRESS** | CITY STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
| | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | F/1 | [REDACTED] 63/37 |
| VICTIMS | NAME | ADDRESS** | CITY STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
| | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| WITNESSES | NAME | ADDRESS** | CITY STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
| | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | F/1 | [REDACTED] 53/47 |
| | | | | | M/1 | 20 |

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS

The Complainant alleges that the accused officers entered and searched the second floor apartment at the location of incident without a warrant or permission. Per Sergeant Brundage, the occupant of the subject apartment was not at home at the time of the alleged incident.

It is further alleged that the same accused officers "planted" a knife in the automobile of an unidentified individual, who is reportedly the boyfriend of witness #1.

Reference RD# [REDACTED] (Weapons Violation)
No Arrest

I.A.D. LOCATION CODES*

| | |
|----------------------------------|--|
| 01 Food Sales/Restaurant | 11 Public Transportation Veh./Facility |
| 02 Tavern/Liquor Store | 12 Park District Property |
| 03 Other Business Establishment | 13 Airport |
| 04 Police Building | 14 Public Property - Other |
| 05 Lockup Facility | 15 Other Private Premise |
| 06 Police Maintenance Facility | 16 Expressway/Interstate System |
| 07 CPD Automotive Pound Facility | 17 Public Way - Other |
| 08 Other Police Property | 18 Waterway, Incl. Park District |
| 09 Police Communications System | 19 Private Residence |
| 10 Court Room | |

I.A.D. PHYSICAL CONDITION CODES†

| |
|---|
| 01 No Visible Injury - Apparently Normal |
| 02 No Visible Injury - Under Influence |
| 03 Injured, Not Hospitalized |
| 04 Injured, Not Hospitalized - Under Influence |
| 05 Injured, Hospitalized |
| 06 Injured, Hospitalized - Under Influence |
| 07 Injured, Refused Medical Aid |
| 08 Injured, Refused Medical Aid - Under Influence |
| 09 Deceased |
| 10 Deceased - Under Influence |

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

SUMMARY

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Compliment ary History will be included as attachments.

Reporting Sergeant attempted to contact the Complainant and Witnesses in this case on numerous occasions. On 29 September 2000 0927 hrs., 2 October 2000 1015 hrs., 4 October 2000 1425 hrs., and 9 October 2000 1040 hrs., Reporting attempted to contact the Complainant [REDACTED] and Witness [REDACTED] utilizing the contact number in which they provided to no avail. On 2 October 2000 1017 hrs. Reporting attempted to contact Witness [REDACTED] who's telephone was not in service. Reporting then forwarded a certified letter to the Complainant and Witnesses. (Attachments 11-13) To date Reporting has not received a response. Reporting obtained Article Numbers [REDACTED] for letters that were forwarded, requesting that they contact Reporting.

Reporting Sergeant obtained TO/FROM's from the Accused Officers answering the charges made by the Complainant. (Attachments 6, 10) Reporting learned from these reports and in a discussion with the Officers to clarify information, that the Accused did pursue a possible offender of an Aggravated Assault into the Complainant's apartment. This information is also documented on a General Offense Case Report - Weapons Violation RD [REDACTED]. The Accused Officers further state via their TO/FROM's answering charges, at no time did they plant a knife in a vehicle.

Reporting Sergeant in an effort to complete her investigation has exhausted all available avenues in addressing the Complainant's concerns, due to the lack of cooperation of the Complainant and Witnesses in this case. Reporting waited until the last possible moment to receive a response from the Complainant or Witnesses prior to closing this case.

ATTACH-
MENTS

INVESTIGATIVE REPORTS—
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:

1, 2A, 2B

INVESTIGATIVE REPORTS—
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:

6, 10

PHYSICAL EVIDENCE
LIST ATTACHMENT NUMBERS:

None

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:

14

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDING

Not Sustained - There is insufficient evidence either to prove or disprove allegations.

RECOMMENDATION

No Disciplinary Action Warranted

FINDINGS—RECOMMENDATIONS

REVIEWED BY: [REDACTED]
DATE: FEB 20 2001

DATE INITIATED
(DATE COMPLAINT WAS
RECEIVED FOR INVESTIGATION) 29 SEP 00

DATE COMPLETED
(DATE OF THIS
REPORT)

ELAPSED TIME
(TOTAL TIME,
EXPRESSED IN DAYS)

28

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

007TH DISTRICT

25 OCTOBER 2000

TO: **Maurice D. Ford**
Commander 007th District

FROM: **Saadia R. Griffin #2503**
Sergeant 007th District

SUBJECT: **Attachments - CR# 265951**

ATTACHMENT #1 Complaint Against Department Member

ATTACHMENT #2A CR# 265951 Initiation Report - Prepared by Sgt. John P. BRUNDAGE #1697

ATTACHMENT #2B CR# 265951 Initiation Report - Prepared by Sgt. John P. BRUNDAGE #1697

ATTACHMENT #3 Notification of Charges/Allegations - P.O. CUNNINGHAM, Aaron B. #15522
25 October 1715 hrs.
Prepared by Sgt. Saadia R. GRIFFIN #2503

ATTACHMENT #4 Administrative Proceedings Rights - P.O. CUNNINGHAM, Aaron B. #15522
25 October 1715 hrs.
Prepared by Sgt. Saadia R. GRIFFIN #2503

ATTACHMENT #5 Waiver of Counsel/Request to Secure Counsel -
P.O. CUNNINGHAM, Aaron B. #15522 - *25 October 1715 hrs.*
Prepared by Sgt. Saadia R. GRIFFIN #2503

ATTACHMENT #6 TO/FROM Answering Charges -P.O. CUNNINGHAM, Aaron B. #15522

ATTACHMENT #7 Notification of Charges/Allegations- P.O. GARZA, Robert #7871
24 October 2000 1630hrs.
Prepared by Sgt. Saadia R. GRIFFIN #2503

ATTACHMENT #8 Administrative Proceedings Rights - P.O. GARZA, Robert #7871
24 October 2000 1630hrs.
Prepared by Sgt. Saadia R. Griffin #2503

ATTACHMENT #9 Waiver of Counsel/Request to Secure Counsel - P.O. GARZA, Robert #7871
24 October 2000 1630hrs.
Prepared by Sgt. Saadia R. Griffin #2503

ATTACHMENT #10 TO/FROM Answering Charges - P.O. GARZA, Robert #7871

ATTACHMENT #11 Copy of Certified Letter Receipt (Complainant) - Article Number [REDACTED]
2 October 2000

007TH DISTRICT
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CR#265951

25 OCTOBER 2000

ATTACHMENT #12 Copy of Certified Letter Receipt (Witness) - Article Number [REDACTED]
4 October 2000

ATTACHMENT #13 Copy of Certified Letter Receipt (Witness) - Article Number [REDACTED]
4 October 2000

ATTACHMENT #14 Weapons Violation Case Report - RD# [REDACTED] - No Arrest

[REDACTED]
Saadia R. Griffin #2503
Sergeant 007TH District

007 District
Patrol Division

24 SEP 00

TO: Commander, 007 District

FROM: Sgt. John P. BRUNDAGE, #1697, 007 District, 3rd Watch
SSN: [REDACTED] EN: 301119
Bell: 312 747-8220 Pax: 1261

SUBJECT: Complaint Register No. 265951 - Initiation Report

REFERENCES: RD: [REDACTED]

ATTACHMENTS: 2C. General Offense Case Report: RD [REDACTED] Page 1
2D. General Offense Case Report: RD [REDACTED] Page 2

DATE AND TIME OF OCCURRENCE: 24 SEP 00, 1830 hours

LOCATION: 57 [REDACTED] S. Bishop, Residence

ALLEGATIONS: That the accused members
1.) Searched an unoccupied parked vehicle bearing Wisconsin license plates [REDACTED] parked at 57 [REDACTED] S. Bishop without warrant or permission.
2) Searched the residence located at 57 [REDACTED] S. Bishop without warrant or perm

COMPLAINANT:

F/B/36

DOB: [REDACTED] 63

WITNESSES:

F/B/47

DOB: [REDACTED] 53

(Sister of Complainant)

M/B/20

NOTIFICATION:

Office of Professional Standards
Investigator ORDOWER, #242, on 24 SEP 00 at 2044 hours

ACCUSED MEMBER(S):

| | | |
|----------------------|---------------------|--------------------|
| Name | Rank | Star |
| CUNNINGHAM, Aaron B. | P.O. | 15522 |
| Employee No. | Social Security No. | Sex/Race/Age |
| [REDACTED] | [REDACTED] | M/W/33 |
| Birth date | Appointment Date | Duty Status |
| [REDACTED] 67 | 29 JUN 98 | On Duty |
| Beat | Sworn/Civilian | Uniform/Civ. Dress |
| 714 | Sworn | Uniform |

C.R. No. 265951
Attachment No. 2A

| | | |
|-----------------------------|-----------------------------------|-------------------------------|
| Name GARZA, Robert (NMI) | Rank P.P.O. | Star 7871 |
| Employee No. [REDACTED] | Social Security No. [REDACTED] | Sex/Race/Age M/WH/30 |
| Birth date [REDACTED] 70 | Appointment Date 29 NOV 99 | Duty Status On Duty |
| Beat 714 | Sworn/Civilian Sworn | Uniform/Civ. Dress Uniform |

**INVESTIGATION
SUMMARY:**

In summary the Complainant [REDACTED] requested a supervisor and Reporting Sergeant met her at her home address. [REDACTED] had two allegations of wrongdoing against the Officers Cunningham and Garza.

[REDACTED] stated that approximately one hour earlier, she observed Officers Cunningham and Garza search an unoccupied vehicle which was parked across the street from her house at 57 [REDACTED] S. Bishop. [REDACTED] stated that the doors were closed, but unlocked, and the officers entered the passenger compartment of the vehicle. R/S observed that the vehicle only had a rear plate, no front plate, bearing Wisconsin plate of [REDACTED]. She stated that one of the officers took a paper bag out of the police vehicle and put it somewhere in the vehicle. She also stated that the knife that Reporting Sergeant observed lying on the floor behind the driver's seat was not there earlier, and must have been planted by the police.

[REDACTED] stated that at approximately 1830 hours she had just left her house and was standing on the corner, when she observed the officers run up onto her porch and then inside the house. She stated that at the time she left the house, no one was on the porch. She stated that the police made up the story that someone had run into the house as a method of obtaining entry.

[REDACTED] stated that she was inside the first floor apartment, when she heard loud knocking on the outside vestibule door. [REDACTED] stated that she opened the door, and let Officers Cunningham and Garza into the lobby. The officers asked, "Did anyone run through here?" [REDACTED] said no. They then asked who lived upstairs, and [REDACTED] said no one. [REDACTED] said at that point the officers pushed past her and ran up the stairs. [REDACTED] stated that actually [REDACTED] lives upstairs, and that the door was unlocked. Reporting Sergeant asked [REDACTED] who was on the porch, and she said several male and female blacks were on the porch, but later stated that no one was on the porch at the time the officers pulled up.

Reporting Sergeant observed scuff marks and a small indentation in the front outside door, but no damage to the interior doors.

Reporting Sergeant later discovered that 714 prepared a Weapons Violation General Offense Case Report under RD [REDACTED], Complainant [REDACTED]. No weapon was recovered.

[REDACTED]
Sgt. John P. BRUNDAGE, #1697, 007 District

APPROVED:

